

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LISA HASTEN,)
)
Plaintiff,)
)
vs.) Case No.
)
JIMMY FANN and LARRY BENNIGHT,)
LLC,) **JURY TRIAL DEMANDED**
)
Defendants.)

DEFENDANTS' NOTICE OF REMOVAL

1. A civil action has been commenced and is now pending in the Circuit Court, Warren County, Missouri, Case No.: 22BB-CC00011, wherein Lisa Hasten is Plaintiff and Jimmy Fann and Larry Bennight, LLC are Defendants.

2. This action is a civil action wherein Plaintiff has made claims for damages as a result of Defendants' alleged negligence in connection with a motor vehicle accident that occurred on or about November 8, 2017.

3. Defendant, Jimmy Fann, was served with the initial pleadings in this action on February 16, 2022, and Defendant, Larry Bennight, LLC, was served with the initial pleadings in this action on March 8, 2022.

DIVERSITY OF CITIZENSHIP EXISTS

4. This action is a civil action, of which the United States District Courts have original jurisdiction pursuant to 28 U.S.C. § 1332, and is one which may be removed to this Court by Defendants pursuant to 28 U.S.C. § 1441, and this is a civil action or proceeding involving diversity of citizenship.

5. Plaintiff, Lisa Hasten, is a citizen of Missouri.

6. Defendant, Jimmy Fann, is a citizen of Texas.
7. Defendant, Larry Bennight, LLC, is a limited liability corporation organized and existing under the laws of the State of Texas with its principal place of business located in the State of Texas. Its only member is also a citizen of the State of Texas.

THE AMOUNT IN CONTROVERSY HAS BEEN SATISFIED

8. The amount in controversy exceeds \$75,000.00 for Plaintiff exclusive of interest and costs. Because this is a personal injury action where Plaintiff claims damages for personal injuries, and for past and future bodily injuries including pain and suffering, disability and loss of normal life, medical expenses, loss of enjoyment of life, loss of society, and other losses, Defendants believe the amount in controversy shall exceed the minimum jurisdictional amount. Specifically, Plaintiff is claiming injury to her head, neck, back, arms, face, shoulder and hip as a result of the accident. Hosten allegedly sustained a left ulnar fracture, C7 cervical fracture, laceration vermillion border upper lip, closed fracture transverse process of T1, and closed fracture of left ulna shaft from the accident.

NOTICE OF REMOVAL IS TIMELY

9. Less than thirty (30) days have elapsed since receipt of said initial pleadings by Defendants, Jimmy Fann and Larry Bennight, LLC.

10. Defendants file herewith a copy of all process, pleadings, and orders they have in this action. See *Exhibit A*.

WHEREFORE, Defendants, Jimmy Fann and Larry Bennight, LLC, pray the Court to accept their Notice for Removal and make and enter such orders as may be necessary to effect the complete removal of this action from the Circuit Court for Warren County, Missouri to the United States District Court for the Eastern District of Missouri and that further proceedings be

discontinued in the State Court and all future proceedings be held in this Court, as the laws in such case provide.

Respectfully submitted,
ROBERTS PERRYMAN P.C.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been filed upon the Court's electronic filing system this 15th day of March 2022 to:

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